

20 JUL 2001

Atty. Docket No: 7372-70911

In re patent application of

NISHIKAWA, SATOMI et al.

Serial No. 09/806,197

Filed: March 27, 2001

For: PLANT PROMOTERS AND PLANT TERMINATORS

STATEMENT TO SUPPORT FILING AND SUBMISSION IN
ACCORDANCE WITH 37 C.F.R. §§ 1.821-1.825

Assistant Commissioner for Patents
Washington, D.C. 20231
Box SEQUENCE

Sir:

In connection with a Sequence Listing submitted concurrently herewith, the undersigned hereby states that:

1. the submission, filed herewith in accordance with 37 C.F.R. § 1.821(g), does not include new matter;

2. the content of the attached paper copy and the attached computer readable copy of the Sequence Listing, submitted in accordance with 37 C.F.R. § 1.821(c) and (e), respectively, are the same; and

3. all statements made herein of their own knowledge are true and that all statements made on information and belief are believed to be true; and further, that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United

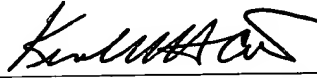
Serial No. 09/806,197

States Code and that such willful false statements may jeopardize the validity of the application or any patent resulting therefrom.

Respectfully submitted,

FITCH, EVEN, TABIN & FLANNERY

By



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July 20, 2001

In re Application of: NISHIKAWA et al.
 Application No. 09/806,197
 Filed: March 27, 2001
 For: PLANT PROMOTERS AND PLANT TERMINATORS

JC05 Rec'd PGT/PTO 2 0 JUL 2001

COMMISSIONER FOR PATENTS
 Washington, D.C. 20231

July 20, 2001

Sir:

Transmitted herewith is a response to the Notification of Missing Requirements Under 37 C.F.R. 371

☐ small entity status of this application under 37 CFR 1.27.

DUE DATE: July 23, 2001

☒ Petition For Extension Of Time

☐ for a extension of time under 37 CFR 1.136, the fee for which is (enclosed).

☒ petition for an extension of time is **NOT** necessary. However, to the extent that such petition is deemed necessary, for a sufficient extension of time to render the present submission timely. Please charge Deposit Account No. 06-1135 for the appropriate petition fee.

☒ No additional claim fee is required.

☒ Other: Copy of Notification of Missing Requirements Under 35 U.S.C. 371; Statement to Support Filing and Submission in Accordance With 37 C.F.R. §§ 1.821-1.825; Index; Sequence Listing, Pgs. 1-11; and Sequence Listing on Disk (PC/MS-DOS PATENTIN 2.1)

The claim fee has been calculated as shown below:

The claim fee has been calculated as shown below:

					SMALL ENTITY		OTHER THAN A SMALL ENTITY			
			CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NUMBER PREVIOUSLY PAID FOR	EXTRA CLAIMS PRESENT	RATE	ADDIT. CLAIM FEE	RATE	ADDIT. CLAIM FEE	
TOTAL				MINUS	20	0	x 9=	\$	x 18=	\$ 0.00
INDEPENDENT				MINUS	3	0	x 40=	\$	x 80=	\$ 0.00
<input type="checkbox"/>	FIRST PRESENTATION OF MULTIPLE CLAIM						+ 135=	\$	+ 270=	\$
						TOTAL	\$	TOTAL	\$0.00	

☐ Please charge my Deposit Account No. 06-1135 in the amount of \$. A duplicate copy of this sheet is attached.

☐ A check in the amount of \$ is attached.

☒ The Commissioner is hereby authorized to charge any deficiencies in the following fees associated with this communication or credit any overpayment to Deposit Account No. 06-1135. A duplicate copy of this sheet is attached.

☒ Any filing fees under 37 CFR 1.16 for the presentation of extra claims.

☒ Any patent application processing fees under 37 CFR 1.17.

Respectfully submitted,

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- SEQ ID NOS 26, 19 encompass the oligos listed on page 57;